

September 13, 2021

U.S. Fish and Wildlife Service: FY2022 Appropriations

Introduction

Congress generally funds the U.S. Fish and Wildlife Service (FWS, an agency within the Department of the Interior [DOI]) in annual appropriations laws for the Department of the Interior, Environment, and Related Agencies. Discretionary appropriations for FWS fund many of the essential functions related to the agency's mission, namely the conservation, protection, and enhancement of fish, wildlife, and plants and their habitats. Discretionary funding covers activities such as resource management and conservation, construction projects, and payments and grants to states and other parties. FWS also receives mandatory appropriations, most of which are used to provide funding to states. The Administration's FY2022 request estimated \$1.639 billion in mandatory appropriations for FWS in FY2022, including funding for land acquisition and deferred maintenance pursuant to the Great American Outdoors Act (GAOA; P.L. 116-152).

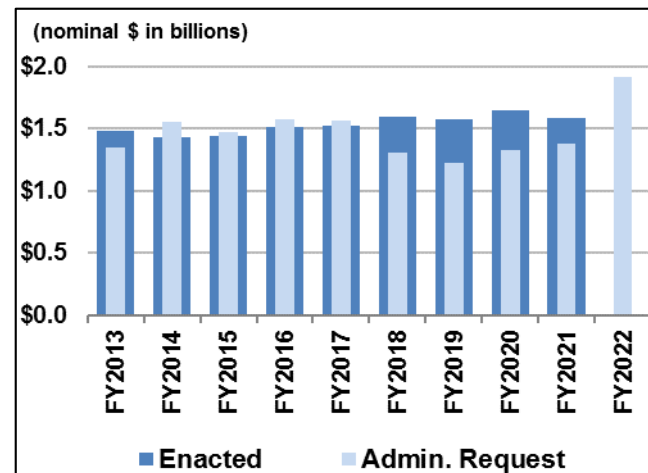
This In Focus discusses FWS's discretionary appropriations and certain mandatory appropriations pursuant to GAOA. Issues of interest to Congress may include the level of discretionary funding for FWS and how funding is allocated across agency programs. Congress also may consider various policy proposals in appropriations legislation.

FWS Discretionary Appropriations

From FY2013 to FY2021, FWS received \$1.531 billion annually, on average, in discretionary funding (**Figure 1**). Enacted levels exceeded requested levels in five years, and requested levels exceeded enacted levels in four years. The FY2022 requested level is higher than the requested or enacted level for any year from FY2013 to FY2021.

For FY2022, the Administration requested \$1.916 billion in discretionary funding (**Table 1**). This is an increase of \$332.3 million (21.0%) over the FY2021 amount provided in P.L. 116-260 (\$1.584 billion), which provided discretionary appropriations across eight accounts for FWS. The House of Representatives would appropriate \$1.887 billion in H.R. 4502, as it passed the House on July 29, 2021 (hereinafter, H.R. 4502), an increase of \$302.7 million (19.1%) over the FY2021 enacted level. The House-passed amount was \$29.6 million (1.5%) less than the Administration's FY2022 request.

Figure 1. FWS Discretionary Funding: Requested and Enacted, FY2013-FY2022



Sources: CRS; data from FWS budget justifications and enacted appropriations laws during these fiscal years.

Table 1. Discretionary Funding by Account, FY2021 Enacted and FY2022 Administration Request and House Passed (H.R. 4502)

(nominal \$ in millions with percentage of total in parentheses)

Account	FY2021 Enacted		FY2022 Admin.		FY2022 House	
Resource Management	\$1,379.8	(87.1%)	\$1,679.1	(87.6%)	\$1,653.8	(87.7%)
Construction	18.2	(1.1%)	39.6	(2.1%)	34.6	(1.8%)
Cooperative Endangered Species Conservation Fund	30.8	(1.9%)	42.7	(2.2%)	24.1	(1.3%)
National Wildlife Refuge Fund	13.2	(0.8%)	-	(0.0%)	13.2	(0.7%)
North American Wetlands Conservation Fund	46.5	(2.9%)	46.5	(2.4%)	50.0	(2.7%)
Neotropical Migratory Bird Conservation Fund	4.9	(0.3%)	7.9	(0.4%)	6.5	(0.3%)
Multinational Species Conservation Fund	18.0	(1.1%)	18.0	(0.9%)	22.0	(1.2%)
State and Tribal Wildlife Grants	72.4	(4.6%)	82.4	(4.3%)	82.4	(4.4%)
Total (may differ from column sum due to rounding)	\$1,583.9	(100%)	\$1,916.2	(100%)	\$1,886.6	(100%)

Sources: CRS; data from explanatory statement for H.R. 133 (P.L. 116-260), FY2022 FWS Request, H.R. 4502 passed by the House on July 29, 2021, and House and Senate Committees on Appropriations.

Resource Management Account

The Resource Management (RM) account comprises the majority of the FWS discretionary appropriations (e.g., 87.1% [\$1.380 billion] of FWS's discretionary funding in FY2021; **Table 1**). The FY2022 Administration's request for the RM account is \$299.3 million (21.7%) above the FY2021 enacted level. In FY2022, the level in H.R. 4502 for the account is \$274.0 million (19.9%) above the FY2021 enacted level and \$25.3 million (1.5%) below the FY2022 Administration's request. The Administration requested and H.R. 4502 included funding for the same eight activities in FY2022 that were funded in FY2021, plus extra funding not under an activity (**Table 2**). H.R. 3684, as passed by the Senate on August 10, 2021, would provide an additional \$91 million for the RM account in FY2022.

Table 2. Resource Management Discretionary Funding, FY2021 Enacted and FY2022 Administration Request and House Passed (H.R. 4502)
(nominal \$ in millions)

Activity	FY2021 Enacted	FY2022 Admin.	FY2022 House
Ecological Services	\$269.7	\$332.1	\$315.2
Habitat Conservation	70.2	80.8	80.3
National Wildlife Refuge System	503.9	584.4	582.1
Conservation and Enforcement	157.8	190.3	191.6
Fish and Aquatic Conservation	206.6	254.9	250.5
Cooperative Landscape Conservation	12.5	18.8	14.0
Science Support	17.3	36.4	41.8
General Operation	141.9	180.3	176.3
Activities Total^a	\$1,379.8	\$1,678.1	\$1,651.8
General Increase ^b	—	—	2.0
Damage Recovery Provision ^c	—	1.0	—
Account Total^a	\$1,379.8	\$1,679.1	\$1,653.8

Sources: CRS, data from explanatory statement for H.R. 133 (P.L. 116-260), FY2022 FWS Request, H.R. 4502 passed by the House on July 29, 2021, and House and Senate Committees on Appropriations.

- Total may differ from column sum due to rounding.
- Added by H.Amdt. 86 to H.R. 4502 in House.
- This amount was added to the Admin. request in H.Rept. 117-83, but the provision itself was not incorporated into H.R. 4502.

Other FWS Appropriations Accounts

In FY2021, Congress appropriated \$204.0 million in discretionary funding for seven other accounts that support construction, conservation activities, financial and technical assistance, and a revenue-sharing program (**Table 1**). In FY2022, the Administration requested \$237.1 million to fund six of the seven accounts, \$33.1 million (16.2%) above the FY2021 enacted level. H.R. 4502 would provide \$232.8 million to fund all seven accounts in FY2022, \$28.7 million (14.1%) above the FY2021 enacted level and \$4.3 million (1.8%) below the Administration's FY2022 request for non-RM accounts.

Accounts with No FY2022 Discretionary Funding in the Administration's Request

The Administration did not request discretionary funding for the National Wildlife Refuge Fund account in FY2022. Payments from the fund are used to help offset local tax losses due to the presence of tax-exempt FWS lands. Congress appropriated \$13.2 million for the account in FY2021, which matched the amount in H.R. 4502. The Administration explained its reasoning for not requesting discretionary appropriations for this account by stating that the fund's purpose does not "take into account the economic benefits refuges provide to communities." The Administration stated the fund is still estimated to receive \$8.0 million in mandatory appropriations.

Great American Outdoors Act

GAOA was enacted on August 4, 2020, to provide mandatory funding for deferred maintenance (DM) and land acquisition (LA) activities for several federal land management agencies, including FWS. Prior to FY2021, these activities were funded through discretionary appropriations. Unlike in FY2021, funds allocated pursuant to GAOA in FY2022 will be subject to sequestration.

GAOA established the National Parks and Public Land Legacy Restoration Fund and provided mandatory spending authority for the fund to address DM needs of five federal agencies, including up to \$95 million for FWS. In FY2021, FWS received \$95 million in mandatory appropriations from the fund. Reflecting sequestration, FWS proposed \$89.6 million for DM projects to be provided for by the fund in FY2022. GAOA only provides mandatory spending authority for FWS to cover DM projects in the National Wildlife Refuge System (NWRS). As such, FWS's DM needs outside of NWRS, including for the National Fish Hatchery System, are still subject to discretionary funding.

GAOA also provided mandatory spending authority for LA and related activities to be funded from the Land and Water Conservation Fund (LWCF). In FY2021, FWS received \$111.8 million for LA activities and \$11.2 million for species recovery LA (previously funded as part of the discretionary Cooperative Endangered Species Conservation Fund appropriations account [CESCF]; **Table 1**) in mandatory appropriations from the LWCF. In FY2022, the Administration proposed \$109.7 million for LA activities and \$11.2 million for species recovery LA. The House recommended that an additional activity—habitat conservation plan (HCP) LA grants to states—be shifted to LWCF mandatory funding in FY2022. Funding for HCP LA grants in prior years was appropriated as part of the CESCF. This shift to mandatory appropriations is, in part, the difference between the FY2022 Administration's request and House-passed amount for CESCF discretionary funding.

For more information on GAOA, see CRS In Focus IF11636, *The Great American Outdoors Act (P.L. 116-152)*.

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